

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:07 CR 377 DJS
)	DDN
LAMONDRAS DAVENPORT,)	
)	
Defendant.)	

**ORDER AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This action is before the court upon the pretrial motions of the parties which were referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b). An evidentiary hearing was set for July 26, 2007.

On July 26, 2007, defendant appeared in open court, with counsel, and advised the undersigned that he had decided not to raise any issues by way of pretrial motions. He thereupon in open court under oath voluntarily waived his rights to file pretrial motions and to have a pretrial hearing in this case at this time and in the future.

Whereupon,

IT IS HEREBY ORDERED that the motion of the government for a hearing regarding suppression issues (oral motion Doc. 26) is denied as moot.

IT IS HEREBY RECOMMENDED that the motions of defendant to suppress evidence and statements (Docs. 27 and 31) be denied without prejudice.

The parties are advised they have until August 6, 2007,¹ to file written objections to this Order and Recommendation. The failure to file objections may result in a waiver of the right to appeal issues of fact.

/S/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on July 26, 2007.

¹This is 11 calendar days from July 26, 2007. See Federal Rule of Criminal Procedure 45(a)(2).